

ATLANTA CITY COUNCIL

ACTION/MINUTES

JANUARY 04, 2010

The Atlanta City Council held its Regularly Scheduled Meeting on Monday, January 04, 2010 in conjunction with the Inauguration Ceremony of the Mayor, President of Council, Councilmembers and Judges. The Inauguration was held at 12:00 noon in the Atlanta Civic Center and then recessed. The President of Council and Councilmembers reconvened at 4:22 p.m. in the Council Chambers at City Hall. The roll was called and a quorum was declared.

PRESIDER (S): The Honorable Council President Ceasar C. Mitchell presided.
Attendance:

The following (15) voting members were present at the Meeting:

The Honorable Carla Smith	The Honorable Felicia A. Moore
The Honorable Kwanza Hall	The Honorable C. T. Martin
The Honorable Ivory L. Young, Jr.	The Honorable Keisha Lance Bottoms
The Honorable Cleta Winslow	The Honorable Joyce Sheperd
The Honorable Natalyn Archibong	The Honorable Michael J. Bond
The Honorable Alex Wan	The Honorable Aaron Watson
The Honorable Howard Shook	The Honorable H. Lamar Willis
The Honorable Yolanda Adrean	

***Arrival Time:** - indicates arrival after convening roll call.

Note: Council President Ceasar C. Mitchell entertained a Motion to reconvene the Council Meeting. It was moved and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

INVOCATION: Reverend Walter L. Kimbrough of the Cascade United Methodist Church gave the invocation.

PLEDGE OF ALLEGIANCE: In unison, the Pledge of Allegiance to the flag of the United States of America.

REPORT OF THE JOURNAL: Rhonda Dauphin Johnson, Municipal Clerk, certified to the Council and the Committee on Council that the **Action/Minutes** of the **December 07, 2009** Regular Meeting and the **December 21, 2009** Special Called Meeting are true and correct. The Minutes were **FILED** without objection.

ADOPTION OF AGENDA: Council President Ceasar C. Mitchell entertained a Motion for the Adoption of the Agenda. The Motion was moved, Seconded by Councilmember Moore, and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

COMMUNICATIONS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS

10-C-0048 (1) A Communication from **Clerk Mark Massey to the Fulton County Board of Commissioners to Council President Ceasar C. Mitchell** submitting the Fulton County Board of Commissioners' re-appointment of Mrs. Hazel Jacobs (Position 4) to serve as the County's representative on the BeltLine Affordable Housing Advisory Board. This re-appointment is for a term of two (2) years, retroactive to 5-01-09 and expires on 4-30-11.

FILED WITHOUT OBJECTION

10-C-0049 (2) A Communication by **Mayor Shirley Franklin** appointing Mr. Roosevelt Council as acting Chief Financial Officer for the City of Atlanta, effective December 31, 2009.

FILED WITHOUT OBJECTION

10-C-0050 (3) A Communication by **Mayor Shirley Franklin** appointing Ms. Priscilla Doggett as Interim Chief of Corrections for the City of Atlanta. This appointment is effective December 23, 2009 and terminates on January 04, 2010.

FILED WITHOUT OBJECTION

10-C-0051 (4) A Communication by **Mayor Shirley Franklin** appointing Ms. Sherri Dickerson as acting Commissioner of the Department of Human Resources. This appointment is effective December 10, 2009 and terminates on January 04, 2010.

FILED WITHOUT OBJECTION

10-C-0052 (5) A Communication by **Chief Procurement Officer Adam L. Smith** submitting the December 2009 Monthly Contracts Report to the Atlanta City Council and Clerk of Council pursuant to Section 2-1142 of the Atlanta City Code of Ordinances.

FILED WITHOUT OBJECTION

10-C-0053 (6) A Communication by **City Auditor Leslie Ward** submitting a Performance Audit Report for the Department of Watershed Management Customer Information System.

Councilmember Moore made a Motion to Refer 10-C-0053 to the City Utilities Committee. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

REFERRED TO CITY UTILITIES COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

- 10-C-0054 (7) A Communication by **City Auditor Leslie Ward** submitting a Performance Audit Report for Indirect Cost Allocation.

Councilmember Moore made a Motion to Refer 10-C-0054 to the Finance/Executive Committee. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

- 10-C-0055 (8) A Communication by **Municipal Clerk Rhonda Dauphin Johnson** submitting a report of administrative corrections made to previously adopted legislation between the Council's regular meeting dates of December 07, 2009 and January 04, 2010 to the Atlanta City Council in accordance with Section 2-275 of the Atlanta City Code of Ordinances. (09-O-1411)

FILED WITHOUT OBJECTION

- 10-C-0056 (9) A Communication by **Mayor Shirley Franklin** submitting the City of Atlanta Retirement Review – Phases II & III Plan Design and Financial Impact Report.

Councilmember Moore made a Motion to Refer 10-C-0056 to the Finance/Executive Committee. It was properly Seconded and the Motion CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE BY A UNANIMOUS ROLL CALL VOTE OF 15 YEAS; 0 NAYS

- 10-C-0138 (10) A Communication by **Mayor Kasim Reed** appointing Mr. Peter Aman as Chief Operating Officer for the City of Atlanta.

REFERRED TO FINANCE/EXECUTIVE COMMITTEE WITHOUT OBJECTION

- 10-C-0139 (11) A Communication by **Mayor Kasim Reed** appointing Mr. Joel G. Baker as Acting Fire Chief for the City of Atlanta; effective January 04, 2010.

FILED WITHOUT OBJECTION

- 10-C-0140 (12) A Communication by **Mayor Kasim Reed** appointing Mr. Paul Taylor as Acting Commissioner of Parks, Recreation and Cultural Affairs for the City of Atlanta; effective January 04, 2010.

FILED WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

COMMUNICATIONS (CONT'D)

10-C-0141 (13) A Communication by **Mayor Kasim Reed** appointing Ms. Sandra Jennings as Acting Commissioner of Public Works for the City of Atlanta; effective January 04, 2010.

FILED WITHOUT OBJECTION

10-C-0142 (14) A Communication by **Mayor Kasim Reed** appointing Ms. Sherri T. Dickerson as Acting Commissioner of Human Resources for the City of Atlanta; effective January 04, 2010.

FILED WITHOUT OBJECTION

VETOED LEGISLATION

Council President Ceasar C. Mitchell Presided

VETOED LEGISLATION

NONE

UNFINISHED BUSINESS

Council President Ceasar C. Mitchell Presided

UNFINISHED BUSINESS

NONE

CONSENT AGENDA SECTION I

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

NONE

CONSENT AGENDA SECTION II

Council President Ceasar C. Mitchell Presided

CONSENT AGENDA

SECTION II

NONE

COMMITTEE REPORTS

Council President Ceasar C. Mitchell Presided

COMMITTEE REPORTS

NONE

PERSONAL PAPERS

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS

Note: During the Personal Papers' segment, Councilmember Martin made a Motion to Suspend the Rules of Council to allow Mayor Kasim Reed to swear in the Chief of Police, George N. Turner. The Motion CARRIED by a roll call vote of 14 yeas; 0 nays. The Rules of Council were Suspended. After the swearing in, Council President Ceasar C. Mitchell entertained a Motion to re-enter Regular Session. The Motion so moved, Seconded by Councilmember Moore and CARRIED by a roll call vote of 14 yeas; 0 nays. Council then re-entered Regular Session.

After Council re-entered Regular Session, following Council President Ceasar C. Mitchell's appointments of committee chairs and members, Councilmember Moore was then recognized and made a Motion to elect Councilmember Howard Shook as Council President Pro Tempore. It was properly Seconded and CARRIED by a unanimous roll call vote of 15 yeas; 0 nays.

ORDINANCES/ REFERRED

10-O-0001 (1)
Z-05-119 An Ordinance by **Councilmember Aaron Watson** to amend Section 16-18L.002 of the City of Atlanta Zoning Code by adding a new statement of intent; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0002 (2)
Z-05-125 An Ordinance by **Councilmember Aaron Watson** to amend the Zoning Ordinance of the City of Atlanta, and the maps established in connection therewith so that the following property located at **1361, 1362, 1365, 1366, 1371, 1374, 1375, 1381, 1382, 1385, 1386, 1391, 1394, 1395, 1398, 1404, 1407 and 1410 Metropolitan Parkway, SE** be changed from the R-4 (Single Family Residential) District to MRC-1 (Mixed Residential Commercial) District; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0003 (3)
Z-06-65 An Ordinance by **Councilmember Aaron Watson** to amend Section 16-24.005 (5) of the Code of Ordinances of the City of Atlanta (The Zoning Ordinance) so as to provide that if property upon which a non-conforming use of a major structure or major structure and premises in combination, is rezoned during the one year grandfathering period pursuant to a Livable Communities Initiative (LCI) Process, said non-conforming use status shall cease and the major structure or major structure and premises in combination shall not thereafter be used except in conformity with the regulation of the district in which it is located; to waive conflicting ordinances; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0004 (4)
Z-06-123/
Z-06-56

An Ordinance by **Councilmember Aaron Watson** to amend Ordinance 06 O- 0944 (Z-06-56) which rezoned property from the MRC-3-C (Mixed Residential Commercial-Conditional) and I-1 (Light Industrial) Districts to the PD-MU (Planned Development-Mixed Use) District adopted by City Council October 16, 2006 and approved by the Mayor, property located at **695 North Avenue, NE**, for the purpose of a Site Plan Amendment, and to rezone a portion of the property, from the PD-MU (Planned Development-Mixed Use) District to the I-1 (Light Industrial) District.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0005 (5)
Z-07-06

An Ordinance by **Zoning Committee** to rezone from the R-3(Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **3931 Land O' Lakes Drive, NE**, fronting approximately 50 feet on approximately 790 feet northwest of the intersection of Sheldon Drive and Land O'Lakes Drive.

Depth: Varies
Area: Approximately 3.78 Acres
Land Lot: 63, 17th District, Fulton County, Georgia
Owner: Gerald and Michele K. Palmer
Applicant: Wayne H. Knox
NPU-B Council District 7

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0006 (6)
Z-07-52

An Ordinance by **Councilmember Aaron Watson** to amend the Land Development Code, Section 16-28.008(5) to limit the height of retaining walls in front, half depth front, side and rear setbacks, or yards; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0007 (7)
Z-07-54

An Ordinance by **Councilmember Aaron Watson** to amend the City of Atlanta Land Development Code; to create Code Section 16-28.023(a) Titled Transfer of Development Rights in the BeltLine Planning Area; to provide for definitions; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0008 (8)
Z-07-15 An Ordinance by **Councilmember Aaron Watson** to rezone from the R-4 (Single-Family Residential) District to the PD-H (Planned Development-Housing) District, property located at **850 Ormewood Avenue, SE**, fronting approximately 153 feet on the north side of Ormewood Avenue at the northwest corner of Mercer Place.

Depth: Varies
Area: Approximately 1.25 Acres
Land Lot: 22, 14th District, Fulton County, Georgia
Owner: CAS Development-Cecil Francis
Applicant: James Bailey
NPU-W Council District 1

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0009 (9)
Z-07-48 An Ordinance by **Councilmember Aaron Watson** to rezone from the I-2 (Heavy Industrial) District to the LW (Live-Work) District, property located at **1116 Murphy Avenue, SW**, fronting approximately 215 feet on the southeasterly side of Murphy Avenue beginning approximately 790 feet from the northeast corner of Avon Avenue. Property also fronts 35.29 feet on the west side of Sylvan Road.

Depth: Varies
Area: Approximately 3.59 Acres
Land Lot: 119, 14th District, Fulton County, Georgia
Owner: 1116 Murphy Avenue, LLC. by Harry Jenkins
Applicant: John A. Bell
NPU-S Council District 12

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0010 (10)
Z-07-83 An Ordinance by **Councilmember Aaron Watson** to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, to rezone property located at **670 DeKalb Avenue** from the I2/HD 20L Zoning Category (Heavy Industrial with Inman Park Historic District Overlay) to the C-3-C Zoning Category (Commercial Residential-Conditional); and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0011 (11)
Z-07-77 An Ordinance by **Aaron Watson** to rezone from the SPI-16 Sub Area 2 (Midtown Special Public Interest) District to the SPI-16 Sub Area 2 Transition Area (Midtown Special Public Interest) District, property located at **207, 211, 219, 223 and 225 13th Street, NE**, fronting approximately 208 feet on the south side of 13th Street beginning 408.87 feet from the southwest corner of Piedmont Avenue. **(Held 1/16/08)**

Depth: Approximately 178 Feet
Area: 0.854 Acre
Land Lot: 106, 17th District, Fulton County, Georgia
Owner: 13th Street Holdings, LLC./Frederick Lewis,
Paul Patterson
Applicant: 13th Street Holdings. LLC.
NPU-E Council District 6

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0012 (12)
Z-07-96 An Ordinance by **Councilmember Aaron Watson** amending the Zoning Ordinance of the city of Atlanta and the Maps established in connection therewith be changed so that the following properties **#1380, 1390, 1400, 1410, 1414, 1418, 1420, 1424, 1428, 1450, 1470, 1480 and 1488 Bolton Road, NW**. be changed from I-1 (Light Industrial) Zoning Classification to R-4 (Single-Family Residential) Classification (Council District 9, NPU G); and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0013 (13)
Z-07-113 An Ordinance by **Councilmember Aaron Watson** to rezone from the I-1-C (Light Industrial-Conditional) District to the MRC-3 (Mixed Residential Commercial) District, property located at **430 and 460 Englewood Avenue, SE**, fronting approximately 678 feet on the north side of Englewood Avenue beginning approximately 132 feet from the northeast corner of Mailing Avenue.

Depth Approximately 1,010 feet
Area: Approximately 10.32 acres
Land Lot 42, 14th District, Fulton County, Georgia
Owner JWGST LLC/Joseph Wiles
Applicant Jason Fritz
NPU-Y Council District 1

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0014 (14)
Z-08-47

An Ordinance by **Councilmember Aaron Watson** to amend Chapter 16, Chapter 18, Section 16-K.004 of the City of Atlanta Code of Ordinances so as to require a Special Use Permit for certain uses located in Subarea 6 of the SPI-11 Zoning District.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0015 (15)
Z-08-44

An Ordinance by **Councilmember Aaron Watson** to rezone from the R-4 (Single-Family Residential) District to the C-1 (Community Business) District, property located at **1398 Metropolitan Parkway, SW**, fronting approximately 54.30 feet on the east side of Metropolitan Parkway and approximately 133 feet north of the intersection of Metropolitan and Lynnhaven Drive.

Depth: 197 Feet
Area: 0.2455 Acre
Land Lot: 88, 14th District, Fulton County, Georgia
Owner: Andrea Jones
Applicant: Andrea Jones
NPU-X Council District 12

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0016 (16)
Z-08-59

An Ordinance by **Councilmember Aaron Watson** to rezone from the SPI-11-Subarea 7 (Vine City Special Public Interest) District to the C-1 (Community Business) District, property located at **601 Spencer Street, NW (aka 605 Spencer Street, NW)**.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0017 (17)
U-08-25

An Ordinance by **Councilmember Aaron Watson** granting a Special Use Permit pursuant to Section 16-11.005(1)(m) of the City of Atlanta Zoning Ordinance for Supportive Housing, property located at **601 Spencer Street, NW (aka 605 Spencer Street, NW)**.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0018 (18)
Z-08-73 A Ordinance by **Councilmember Aaron Watson** to rezone from the R-4 (Single Family Residential) and NC-2 (Neighborhood Commercial) Districts to the NC-2 (Neighborhood Commercial) District, property located at **1146 Portland Street, SE, 1152 Portland Street, SE, 1131 Glenwood Avenue, SE, 1137 Glenwood Avenue, SE 525/527 Moreland Avenue, SE, 529 Moreland Avenue, SE, 535 Moreland Avenue, SE and 537 Moreland Avenue, SE** fronting approximately 250 feet on the north side of Portland Avenue, approximately 300 feet on the west side of Moreland Avenue and approximately 250 feet on the south side of Glenwood Avenue. **(Held 5/27/09)**

Depth:	Varies
Area:	Approximately 1.75 Acres
Land Lot:	12, 14 th District, Fulton County, Georgia
Owner:	George Rohrig
Applicant:	Joseph Alcock
NPU-W	Council District 1

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0019 (19)
Z-08-76 An Ordinance by **Councilmember Aaron Watson** to amend Part 16, Chapter 28A of 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a new Section 16-28A.010 (51) to provide for Comprehensive Signage Regulations for that area designated as SPI-23- Atlantic Station Redevelopment District; to repeal conflicting ordinances; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0020 (20)
Z-08-77 An Ordinance by **Councilmember Aaron Watson** to amend the 1982 Zoning Ordinance of the City of Atlanta by creating a New Chapter entitled Chapter 18W-SPI-23 Atlantic Station Redevelopment Special Public Interest District Regulations; to amend the Official Zoning Map by overlaying existing Zoning Districts C-4-C and I-2 with said SPI 23 District so as to provide for comprehensive and consistent regulations within the SPI Relative to Signage; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0021 (21)
Z-08-79 An Ordinance by **Councilmember Aaron Watson** designating the Crum & Forster Building, located at **771 Spring Street, NW**, Land Lot 80, of the 14th District of Fulton County, Georgia and certain real property on which it is located, to the Overlay Zoning Designation of Landmark Building or Site pursuant to Chapter 20 of the Zoning Ordinance of the City of Atlanta and rezoning from SPI-16 (Special Public Interest District-16) to SPI-16/LBS (Special Public Interest District-16/Landmark Building or Site); to repeal conflicting laws; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0022 (22)
U-07-27/U-06-23 An Ordinance by **Councilmember Aaron Watson** authorizing the Mayor or her designee to amend Ordinance Number 07-O-1921/U-07-27/U-06-23 to include the Site Plan as referenced in Section 1 of the Ordinance and in the Conditions as adopted by the Council on November 5, 2007 and approved by the Mayor on November 13, 2007; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0023 (23)
Z-09-24 An Ordinance by **Councilmember Aaron Watson** to amend Section 16-28A.013(a)(x) of the City of Atlanta Sign Ordinance for the purpose of clarifying the effect of modification or replacement of structures supporting on the non-conformity of general advertising signs; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0024 (24)
Z-09-27 An Ordinance by **Councilmember Aaron Watson** to rezone from the RG-3 (Residential General-Sector 3) District to the MR-5A (Multi-Family Residential) District and RG-3C (Residential General-Sector 3-Conditional) District, property located at **240 Colonial Homes Drive, NW**, fronting approximately 875 feet on the north and south side of Colonial Homes Drive beginning approximately 680 feet from the west corner of Peachtree Road.

Depth:	Varies
Area:	Approximately 20.76 Acres
Land Lots:	110 and 111, 17 th District, Fulton County, Georgia
Owner:	Pope and Land Enterprises, Inc.
Applicant:	Pope and Land Enterprises, Inc.
NPU-C	Council District 8

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0025 (25)
Z-09-28 An Ordinance by **Councilmember Aaron Watson** to rezone property from RLC-C (Residential Limited Commercial-Conditional) District to RLC-C (Residential Limited Commercial-Conditional) District, property located at **2867 Piedmont Road, NE**, for the purpose of a change in conditional. Property fronts approximately 116.35 feet on the east side of Piedmont Road at the southeast corner of Elliott Circle and Piedmont Road.

Depth: Approximately 362 Feet
Area: Approximately 0.502 Acre
Land Lot: 47, 17th District, Fulton County, Georgia
Owner: Soon R. Hoh
Applicant: Soon R. Hoh
NPU-B Council District 7

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0026 (26)
Z-09-29 An Ordinance by **Councilmember Aaron Watson** to amend certain sections of Chapter 20C of the Code of Ordinances which governs Martin Luther King, Jr. Landmark District to stimulate growth and investments in the District; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0027 (27)
U-09-16 An Ordinance by **Councilmember Aaron Watson** granting a Special Use Permit for a Personal Care Home pursuant to Section 16-06.005 (l)(g) for property located at **350 Schoen Street, SE** fronting approximately 108.5 feet on the north side of Schoen Street at the southwest corner of the intersection of Schoen Street and Charleston Avenue.

Depth: Approximately 170 feet
Area: 0.42 acre
Land Lot: 39, 14th District, Fulton County, Georgia
Owner: Annie L. Barber
Applicant: Annie L. Barber
NPU-Y Council District 1

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0028 (28)
U-09-19 An Ordinance by **Councilmember Aaron Watson** granting a Special Use Permit for a Private School pursuant to Section 16-06.005(1)(L) and Section 16-05.005 (1)(L) for property located at **4776 Campbellton Road** (Parcel ID# 14F-0065-0001-003-0 & 14F-0065-0001-002), **4774 Campbellton Road, SW** (Parcel ID #14F-0065-0001-004 & 14F-0065-0001-005-0 **(a.k.a. Campbellton Road Rear)**, 14F-0076-LL-008-8 **(a.k.a. Kenny Rd. Rear)** and 14F-0065-0001-024 **(Kenny Rd., SW)** fronting approximately 365 feet on the Western Side of Campbellton Road, SW; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0029 (29)
Z-09-35 An Ordinance by **Councilmember Aaron Watson** to amend the Castleberry Hill Landmark District Regulations (Chapter 20N) of the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a definition of Off-Leash Dog Park and allow such a use in Subarea 1 of the Castleberry Hill Landmark District; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0030 (30)
Z-09-36 An Ordinance by **Councilmember Aaron Watson** to rezone property having a street address or Tax Parcel Identification Number (as applicable) of 17-0183-LL-143-2, 1100 Moores Mill Road, 1110 Moores Mill Road, 17-0183-LL-172, 17-0183-LL-171, 1120 Moores Mill Road, 1124 Moores Mill Road, 1128 Moores Mill Road, 17-083-LL-097-0, 1150 Moores Mill Road, 1160 Moores Mill Road, 1164 Moores Mill Road, 1168 Moores Mill Road, 958 Nawench Drive, 970 Nawench Drive, 980 Nawench Drive, 1000 Nawench Drive, 1014 Nawench Drive, 1028 Nawench Drive, 1042 Nawench Drive, 1058 Nawench Drive, 1078 Nawench Drive, 1090 Nawench Drive, 1089 Nawench Drive, 1075 Nawench Drive, 1055 Nawench Drive, 1045 Nawench Drive, 1035 Nawench Drive, 1025 Nawench Drive, 1015 Nawench Drive, 1011 Nawench Drive, and 997 Nawench Drive, from R-3 (Single-Family Residential) to R-2B (Single-Family Residential); and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0031 (31) An Ordinance by **Councilmember Aaron Watson** granting a
U-09-17 Special Use Permit for a Personal Care Home pursuant to Section
16-08.005 (1)(f) for property located at **762 Bender Street, SW**,
fronting approximately 60 feet on the east side of Bender Street,
at the southeast corner of Bender Street and Stephens Street.

Depth:	Varies
Area:	Approximately 0.147 Acre
Land Lot:	86, 14 th District, Fulton County, Georgia
Owner:	Deborah L. Turner
Applicant:	Deborah L. Turner
NPU-V	Council District 4

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE WITHOUT OBJECTION**

10-O-0032 (32) An Ordinance by **Councilmember Aaron Watson** to amend
U-09-18 Ordinance 98-O-0067 (U-97-69) which granted a Special Use
Permit for a Communication Tower in a C-2 (Commercial Service)
District, for property located at **2664 Donald Lee Hollowell
Parkway (formerly known as Bankhead Highway)**, and for other
purposes.

Owner:	Horatio Lawson
Applicant:	T-Mobile South, LLC c/o SAI Communication
NPU-I	Council District 9

**REFERRED TO ZONING REVIEW BOARD AND ZONING
COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0033 (33)
U-09-20 An Ordinance by **Councilmember Aaron Watson** granting a Special Use Permit for a Day Care Center pursuant to Section 16-06.005 (l)(g) for property located at **3797 Adamsville Drive, SW.**, fronting approximately 90 feet on the north side of Adamsville Drive, approximately 760 feet west of the intersection of Martin Luther King, Jr. Drive and Adamsville Drive.

Depth:	Approximately 200 Feet
Area:	Approximately 0.41 Acre
Land Lot:	14, 14FFth District, Fulton County, Georgia
Owner:	Unity Realty Specialist (Ben Lawrence)
Applicant:	April Ingraham
NPU-H	Council District 10

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0034 (34)
U-09-21 An Ordinance by **Councilmember Aaron Watson** granting a Special Use Permit for a Church pursuant to Section 16-06.005 (1) (c) for property located at **1280 Benteen Way, SE**, fronting approximately 269 feet on the north side of Benteen Way and approximately 410 feet on the east side of Boulevard.

Depth:	Varies
Area:	Approximately 2.0 Acres
Land Lot:	24, 14 th District, Fulton County, Georgia
Owner:	Abundant Life Center
Applicant:	James McDougald
NPU-W	Council District 1

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0035 (35) An Ordinance by **Councilmember Aaron Watson** granting a
U-09-22 Special Use Permit for a Day Care Center pursuant to Section 16-08.005 (1) (b) for property located at **3751 Martin Luther King, Jr Drive, SW**, fronting approximately 165 feet on the southeasterly side of Martin Luther King, Jr. Drive at the northeastern intersection of Martin Luther King, Jr. Drive and Bolton Road.

Depth:	Varies
Area:	Approximately 5.8 Acres
Land Lot:	15, 14 th District, Fulton County, Georgia
Owner:	Charitable Connections, Inc.
Applicant:	Charitable Connections, Inc./Michelle R. Uchiyema
NPU-T	Council District 4

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0036 (36) An Ordinance by **Councilmember Aaron Watson** granting a
U-09-23 Special Use Permit for a Personal Care Home pursuant to Section 16-06.005 (1) (g) for property located at **1041 Lawton Avenue, SW**, fronting approximately 100 feet on the northeasterly side of Lawton Avenue and approximately 447 feet east of the intersection of Lawton Avenue and Peeples Street.

Depth:	Approximately 180 Feet
Area:	0.41 Acre
Land Lot:	119, 14 th District, Fulton County, Georgia
Owner:	Nathan M. Jideama
Applicant:	Nathan M. Jideama
NPU-S	Council District 4

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0037 (37)
U-09-24 An Ordinance by **Councilmember Aaron Watson** granting a Special Use Permit for a Day Care Center pursuant to Section 16-06.005 (1) (b) for property located at **779 Atwood Street, SW**, fronting approximately 120 feet on the west side of Atwood Street, approximately 67 feet southwest of the intersection of Atwood Street and Donnelly Avenue.

Depth:	Varies
Area:	Approximately 0.366 Acre
Land Lot:	139, 14 th District, Fulton County, Georgia
Owner:	Pan African Orthodox Christian Church
Applicant:	Terrence Raye
NPU-T	Council District 4

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0038 (38)
Z-09-37 An Ordinance by **Councilmember Aaron Watson** to rezone property from the RG-2 (Residential General-Sector 2) District, to the R-LC (Residential-Limited Commercial) District, for property located at **4591 Wieuca Road, NE**, fronting approximately 70 feet on the northeasterly side of Wieuca Road, beginning 506 feet easterly and southeasterly from the southeast corner of a 15 foot alley.

Depth:	Varies
Area:	0.40 Acre
Land Lot:	95, 17 th District, Fulton County, Georgia
Owner:	Tom Hicks
Applicant:	Tom Hicks
NPU-B	Council District 7

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0039 (39)
Z-09-38 An Ordinance by **Councilmember Aaron Watson** to rezone property from the C-1-C (Community Business-Conditional) District, to the C-1-C (Community Business-Conditional) District, for the purpose of a change of conditions, property located at **2815-2839 Peachtree Road, NE**. The property fronts 275 feet on the southeasterly side o Peachtree Road beginning 99.92 feet from the northwest corner of Rumson Road.

Depth:	Varies
Area:	1.24 Acres
Land Lot:	100, 17 th District, Fulton County, Georgia
Owner:	Gardenbrand, LLC
Applicant:	Gardenbrand, LLC
NPU-B	Council District 7

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0040 (40)
Z-09-39 An Ordinance by **Councilmember Aaron Watson** to rezone property from the R-4A (Single Family Residential) and the C-1-C (Community Business Conditional) Districts, to the C-1 (Community Business) District, property located at **178 McDonough Boulevard, SE**, fronting approximately 54 feet on the north side of McDonough Boulevard, beginning 122 feet from the northwest corner of Lakewood.

Depth:	Approximately 199 Feet
Area:	0.624 Acre
Land Lot:	56, 14 ^h District, Fulton County, Georgia
Owner:	PRITHVI, Inc.
Applicant:	Robert W. Hoffman
NPU-B	Council District 7

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0041 (41)
Z-09-42 An Ordinance by **Councilmember Aaron Watson** to rezone certain properties within the Campbellton Road Corridor in NPU-R from the R-3 (Two-Family Residential), R-4 (Two-Family Residential), RLC (Residential Limited Commercial), RG-2-C (Residential General- Conditional), RG-3 (Residential General), C-1 (Community Business), C-1-C (Community Business Conditional), C-2-C (Commercial Service-Conditional), Districts to the MR-2 (Multi-Family Residential), MR-3 (Multi-Family Residential), MR-4A (Multi-Family Residential), MRC-1 (Mixed Residential Commercial), MRC-2 (Mixed Residential Commercial), MRC-3-C (Mixed Residential Commercial-Conditional) Districts; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0042 (42)
Z-09-44 An Ordinance by **Councilmember Aaron Watson** to amend the 1982 Zoning Ordinance of the City of Atlanta, as amended, so as to create a new Chapter 37 entitled Voluntary Incentive Multi-Family Residential Regulations concerning the creation of optional and parallel development code requirements for Multi-Family Residential Developments for the purpose of public benefits including the provision of affordable workforce housing; to define certain terms; to provide for related requirements and procedures; and for other purposes.

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0043 (43)
Z-09-15 An Ordinance by **Councilmember Aaron Watson** to rezone from the C-1-C (Community Business-Conditional) District and R-LC (Residential Limited Commercial) District to the PD-MU (Planned Development-Mixed Use) District, property located at **87, 99 and 91 West Paces Ferry Road, Units 1-7 and 9; 91 West Paces Ferry Road, Unit 8; 79 West Paces Ferry Road; and 3188 Paces Ferry Place**, fronting approximately 445 feet on the west side of Paces Ferry Place at the northwest corner of West Paces Ferry Road.

Depth: Varies
Area: 3.484 Acres
Land Lot: 99, 17th District, Fulton County, Georgia
Owner: 800 Corporation Ludwig I Fla. Corporation
 and Woodlands of Georgia, Inc., c/o Miller
 and Martin PLLC, 79 West Paces Ferry, LLC.,
 and Mrs. Jacqueline Snelling
Applicant: 800 Corporation
NPU-B Council District 7

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0044 (44)
Z-09-32 An Ordinance by **Councilmember Aaron Watson** to rezone property from the R-5 (Single Family Residential) District to the MR-3 Multi-Family Residential) District, property located at **100 Hutchinson Street, NE**, fronting approximately 141 feet on the east side of Hutchinson Street beginning 21.23 feet from the southeast corner of LaFrance Street.

Depth: Approximately 54 feet
Area: 0.192 acre
Land Lot: 209, 15th District, DeKalb County, Georgia
Owner: Steven Scott West
Applicant: Steven Scott West
NPU-O Council District 5

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0045 (45)
Z-09-45 An Ordinance by **Councilmember Aaron Watson** to rezone property from R-4 (Single Family Residential) to C-1 (Community Business), property located at **1187 Hosea L. Williams, Drive, N.E.** fronting approximately 50 feet on the south side of Hosea L. Williams Drive, beginning 90 feet from the southeast corner of Moreland Avenue.

Depth: Approximately 169.51 feet
Area: Approximately 0.194 acre
Land Lot: 208, 15th District, DeKalb County, Georgia
Owner: Sugarman Abney Development, LLC
Applicant: Eric J. Kronberg
NPU-O Council District 5

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0046 (46)
Z-09-46 An Ordinance by **Councilmember Aaron Watson** to rezone property from R-4 (Single Family Residential) to MR-2 (Multi-Family Residential) District, property located at **884, 892, 898 and properties with the following parcel identification numbers (14-0008-0010-005-0, 14-008-0010-006-08 and 14-0008-0010-026-6 McDonough Boulevard, S.E. and property identified as 14-0008-0010-015-9 Hanes Circle, S.E.** fronting approximately 418.45 feet on the north side of McDonough Boulevard.

Depth: Approximately 612.51 feet
Area: Approximately 5.27 acres
Land Lot: 8, 14th District, Fulton County, Georgia
Owner: Roger P. Glass, Sr.
Applicant: Roger P. Glass, Sr.
NPU-W Council District 1

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

10-O-0047 (47)
Z-09-47 An Ordinance by **Councilmember Aaron Watson** to rezone property from R-4 (Single Family Residential) to C-1 (Community Business), property located at **1746 Defoor Avenue (aka 1748 Defoor), N.W.** fronting approximately 50 feet on the south side of Defoor Avenue at the northeast intersection of Defoor Avenue and Defoor Place.

Depth: Approximately 163.90 feet
Area: Approximately 0.191 acres
Land Lot: 187, 17th District, Fulton County, Georgia
Owner: Stewart Gibson
Applicant: David N. Hauseman
NPU-D Council District 9

REFERRED TO ZONING REVIEW BOARD AND ZONING COMMITTEE WITHOUT OBJECTION

10-O-0130 (48) An Ordinance by **Councilmember Carla Smith** authorizing the Mayor, on behalf of the City of Atlanta (The "City"), to execute and deliver certain quitclaim deeds relating to certain real property acquired during the ERA of the Centennial Olympic Games to the Atlanta Fulton County Recreation Authority (The "Authority"); and for other purposes.

REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION

10-O-0131 (49) An Ordinance by **Councilmember Natalyn Mosby Archibong** amending the City of Atlanta's Code of Ordinances, "Division 3, Standing and Other Committees," Section 2-135 for the purpose of inserting language requiring that departmental quarterly reviews be held by the appropriate standing committee; and for other purposes.

REFERRED TO COMMITTEE ON COUNCIL WITHOUT OBJECTION

10-O-0133 (50) An Ordinance by **Councilmember Felicia A. Moore** to amend Section 2-41 of the Code of Ordinances of the City of Atlanta, Georgia which is currently entitled "Proclamations and Citations" by creating a new Section 2-41 and changing the catchline to "Legislation and Other Items for Consideration by Council" which code section shall set forth the process by which legislation and other items for consideration by the Council shall be presented; to re-designate Code Section 2-41 as Code Section 2-41.1; to waive conflicting ordinances and code sections; and for other purposes.

**REFERRED TO COMMITTEE ON COUNCIL WITHOUT
OBJECTION**

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

ORDINANCES/ REFERRED (CONT'D)

- 10-O-0135 (51) An Ordinance by **Councilmembers Michael Julian Bond and Ivory Lee Young, Jr.** to rename Raymond Street, SW, in its entirety, to SNCC (Student Nonviolent Coordinating Committee) Way, SW; to waive Section 138-8 (b) of the Code of Ordinances; and for other purposes.

**REFERRED TO CITY UTILITIES COMMITTEE WITHOUT
OBJECTION**

RESOLUTIONS/ REFERRED

- 10-R-0132 (1) A Resolution by **Councilmember Michael Julian Bond** directing the City of Atlanta to apologize to the patrons and employees of the Atlanta Eagle for the alleged violations of Human and Civil Rights suffered as a result of a police raid carried out on September 10, 2009; and for other purposes.

Councilmember Bond made a Motion to Adopt Resolution 10-R-0132. It was properly Seconded and a discussion ensued, during which, Councilmember Willis made a Substitute Motion to Refer 10-R-0132 to the Public Safety and Legal Administration Committee. It was properly Seconded and discussion continued. During discussion, Councilmember Archibong offered a Friendly Amendment to Refer and Table the resolution for pending litigation. It was accepted by Councilmember Bond and, as discussion continued, Councilmember Archibong withdrew her Friendly Amendment. The Motion to Refer to Public Safety and Legal Administration Committee then CARRIED by a roll call vote of 13 yeas; 2 nays.

**REFERRED TO PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE BY A ROLL CALL VOTE OF
13 YEAS; 2 NAYS**

- 10-R-0134 (2) A Resolution by **Councilmember Michael Julian Bond** requesting the Atlanta Police Department, Office of the Chief and the Field Operations Division, to develop and submit to the Mayor and the City Council a Zone and Beat Redesign Plan within 180 days of adoption of said resolution; and for other purposes.

**REFERRED TO PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE WITHOUT OBJECTION**

Council President Ceasar C. Mitchell Presided

PERSONAL PAPERS (CONT'D)

RESOLUTIONS/ REFERRED (CONT'D)

- 10-R-0136 (3) A Resolution by **Councilmembers Michael Julian Bond, H. Lamar Willis, Kwanza Hall, Ivory Lee Young, Jr. and Aaron Watson** calling for the creation of a Public Safety Improvement Fund; requesting the Mayor or his designee to direct City staff to add the creation of such a fund to the City's 2010 Georgia General Assembly Legislative Package; and for other purposes.
REFERRED TO FINANCE/ EXECUTIVE COMMITTEE WITHOUT OBJECTION
- 10-R-0137 (4) A Resolution by **Councilmembers Natalyn Mosby Archibong and C. T. Martin** requesting that City Council authorize a Forensic Audit should be conducted as a result of the findings and recommendations from the Audit Report of the Public Safety Facilities Construction and the Sale of City Hall East; and for other purposes.
REFERRED TO PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE WITHOUT OBJECTION

ADJOURNMENT

Council President Ceasar C. Mitchell Presided

ADJOURNMENT

There being no further business to discuss, the January 04, 2010 meeting of the Atlanta City Council was adjourned at 6:23 p.m.

ADJOURNMENT ROLL CALL: Council President Ceasar C. Mitchell (1); Councilmembers Smith, Hall, Young, Winslow, Archibong, Wan, Shook, Adrean, Moore, Martin, Bottoms, Sheperd, Bond, Watson and Willis (15).